

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

CHARLES BOGGS AND
DONNA BOGGS,

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Plaintiff,

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vs.

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OXFORD LAW, LLC

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Defendant.

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No. 7:13cv3464-HMH

VERIFIED CIVIL COMPLAINT
(Unlawful Debt Collection Practices)

VERIFIED COMPLAINT

CHARLES BOGGS and DONNA BOGGS (Plaintiffs), by their attorneys, allege the following against OXFORD LAW, LLC (Defendant):

1. Plaintiffs' Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 *et seq.* (FDCPA).

JURISDICTION AND VENUE

2. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy," and 28 U.S.C. 1367 grants this court supplemental jurisdiction over the state claims contained therein.
3. Defendant conducts business in the State of South Carolina, and therefore, personal jurisdiction is established.
4. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

PARTIES

5. Plaintiffs are each a natural person residing in Greer, Spartanburg County, South Carolina.
6. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6).
7. Defendant is a debt collection law firm with its headquarters in Minneapolis, Minnesota.
8. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

9. In or around November of 2013, Defendant placed a collection call to Plaintiffs seeking and demanding payment for an alleged debt.
10. Plaintiffs' alleged debt owed arises from transactions for personal, family, and household purposes.
11. Defendant called Plaintiffs' telephone number at 864-877-31XX.
12. Defendant places collection calls from numbers including, but not limited to, 215-526-2600.
13. On or around November 11, 2013, Defendant called Plaintiffs and left a voicemail message on Plaintiffs' answering machine. *See Exhibit A.*
14. In the voicemail message, Defendant's representative, "Kay Powell" failed to state the name of the company placing the call, failed to state that the call was from a debt collector, and failed to disclose that the call was being placed to collect an alleged debt. *See Exhibit A.*
15. In the voicemail message, Defendant's representative, "Kay Powell", provided reference number 6658577 and directed Plaintiffs to call her back at 1-877-543-6151, extension 217, which is a number that belongs to Defendant. *See Exhibit A.*
16. Defendant is using false, deceptive and misleading means in connection with attempting to

collect a debt by not identifying the purpose of its phone calls or that they are an attempt to collect a debt.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT,
(FDCPA), 15 U.S.C. § 1692 et seq.

17. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, and abuse Plaintiffs;
- b. Defendant violated §1692d(6) of the FDCPA by placing telephone calls without meaningful disclosure of the caller's identity;
- c. Defendant violated §1692e of the FDCPA by using false, deceptive or misleading representation with the collection of the debt;
- d. Defendant violated §1692e(10) of the FDCPA by using deceptive means in an attempt to collect a debt.
- e. Defendant violated §1692e(11) of the FDCPA by failing to disclose that the call was from a debt collector.

WHEREFORE, Plaintiffs respectfully pray that judgment be entered against Defendant for the following:

18. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k,
19. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k, and
20. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

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